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OFFICE OF PETITIONS

In re Application of :  
Ruat et al. : DECISION GRANTING  
Application No. 10/826,969 : PETITION  
Filed: 31 March, 2004 :  
Attorney Docket No. 01RO20754427 :

This is a decision on the paper styled as a request for a corrected filing receipt, filed on 20 July, 2004, which is treated as a petition under 37 CFR 1.10(c) requesting that the above-identified application be accorded a filing date of 31 March, 2004, rather than the presently accorded filing date of 30 March, 2004.

Petitioner alleges that the application was deposited in Express Mail service on 31 March, 2004. In support, on 20 July, 2004, petitioners supplied a copy of Express Mail Label No. EV330385775US (the same Express Mail number found on the itemized utility patent application transmittal accompanying the original application papers located in the official file). Although the Express Mail label bears a "date-in" of "3-30-04" the label also contains an Official USPS postmark dated 31 March, 2004.

In view of the above, the correct date of deposit in Express Mail is 31 March, 2004.

In view of the above, the petition is granted. No petition fee is due.

A review of Office records indicates that a correcting filing receipt indicating a filing date of 31 March, 2004, was mailed on 13 August, 2004. As such, no further correction is necessary.

The application is being referred to Technology Center 2600 for examination in due course.

Application No. 10/826,969

Telephone inquiries specific to this matter should be directed to the undersigned at (571) 272-3231.

A handwritten signature in black ink, appearing to read "D. Wood", written in a cursive style.

Douglas I. Wood  
Senior Petitions Attorney  
Office of Petitions